

Message Text

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PAGE 01 ABIDJA 00544 201610Z

70

ACTION AF-06

INFO OCT-01 EA-06 ISO-00 IO-10 CIAE-00 DODE-00 PM-03 H-01

INR-07 L-02 NSAE-00 NSC-05 PA-01 RSC-01 PRS-01 SP-02

SS-15 USIA-06 ACDA-05 OIC-02 DPW-01 OES-03 /078 W

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R 201220Z JAN 75

FM AMEMBASSY ABIDJAN

TO SECSTATE WASHDC 1760

AMEMBASSY OUAGADOUGOU

AMEMBASSY NIAMEY

INFO USUN NEW YORK 423

AMEMBASSY SAIGON

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EO 11652: N/A

TAGS: PORG, PFOR, VS

SUBJ: RVN REQUEST FOR ASSISTANCE VIS-A-VIS GOUV AND GON

1. REPUBLIC OF VIETNAM (RVN) AMBASSADOR NGUYEN VAN LOC CALLED ON AMBASSADOR SMITH BEFORE HIS DEPARTURE TO REQUEST ASSISTANCE FROM OUR EMBASSIES OUAGADOUGOU AND NIAMEY ON THE VIETNAMESE REPRESENTATION QUESTION AT THREE UPCOMING CONFERENCES:

1. GENEVA CONFERENCE (FEB 3) ON HUMANITARIAN INTERNATIONAL LAW APPLICABLE TO ARMED CONFLICTS. FYI. AT THE CONFERENCE IN FEBRUARY 1974 IT WAS PROPOSED THAT THE "PROVISIONAL REVOLUTIONARY GOVERNMENT OF SOUTH VIETNAM "(PRG) BE INVITED TO PARTICIPATE. THE MOTION WAS DEFEATED BY A VOT OF 37 FOR, 38 AGAINST, AND 33 ABSTENTIONS. IF A SIMILAR PROPOSAL IS MADE THIS YEAR THE U.S. REPRESENTATIVE, THE GVN REPRESENTATIVE AND OTHER FRIENDLY REPRESENTATIVES WILL CONTEND THAT SUCH A PROPOSAL CONSTITUTES A RECONSIDERATION OF AN ISSUE ONCE DECIDED AND THEREFORE REQUIRES A TWO-THIRDS MAJORITY VOTE UNDER RULE 32, RATHER THAN A SIMPLE MAJORITY FOR A PROCEDURAL

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PAGE 02 ABIDJA 00544 201610Z

QUESTION UNDER PARA 4 OF RULE 35. (IN OUR DEMARCHES HERE

WE HAVE EXPLAINED THE ABOVE AND HAVE ASKED FOR SUPPORT ON TWO-THIRDS MAJORITY ISSUE AND FOR THE VOTE AGAINST PRG PARTICIPATION IN THE CONFERENCE. IN OUR ARGUMENTS WE DREW FROM STATE 008673 (NOT SENT TO OUAGA OR NIAMEY), POINTING OUT "PRG" IS NOT A GOVERNMENT, HAS NO ATTRIBUTES OF GOVERNMENT, NO CAPITAL, NO BODY OF JURISPRUDENCE AND NO CAPABILITY OF ADHERING TO A CONVENTION). END FYI.

B. VIENNA CONFERENCE (FEB 4) ON REPRESENTATION OF STATES IN THEIR RELATIONS WITH INTERNATIONAL ORGANIZATIONS. WE HAVE RECEIVED NO INSTRUCTIONS ON THIS CONFERENCE BUT VAN LOC SAYS VOTE ON PRG PARTICIPATION IN THIS CASE WILL BE BY SIMPLE MAJORITY.

C. THE SEVENTH WORLD METEOROLOGICAL ORGANIZATION (WHO) CONGRESS AT GENEVA APRIL 28. FYI. HERE THE QUESTION OF "PRG" PARTICIPATION WAS PUT ON A POSTAL BALLOT WITH DEADLINE FOR BALLOTING MARCH 23. RVN AND USG FORMALLY PROTESTED INCLUSION OF PRG ON THE BALLOT BUT WMO SEC GEN REPLIED THAT HE MERELY PERFORMED PROCEDURAL ROLE IN INCLUDING NOMINATION SUBMITTED BY MEMBERS. IN OUR DEMARCHE IN THIS CASE, WE DREW ON STATE 10509 (NOT SENT TO OUAGA AND NIAMEY) WHICH IN ADDITION TO POINTING OUT "PRG" IS NOT A GOVERNMENT, HAS NO ATTRIBUTES OF GOVERNMENT, NO CAPITAL, NO BODY OF JURISPRUDENCE, NO DEFINED TERRITORY AND IS THUS NOT A COUNTRY WITHIN THE MEANING OF WHO GENERAL REGULATION 18; ALSO POINTED OUT THAT "PRG" TO OUR KNOWLEDGE HAS PRODUCED NO EVIDENCE THAT IT POSSESSES A METEOROLOGICAL SERVICE WITHIN THE MEANING OF GENERAL REGULATION 18." END FYI

2. AMBASSADOR VAN LOC WOULD BE WILLING TO GO TO OUAGA AND NIAMEY IF OUR AMBASSADOR FELT IT WOULD HELP.

3. FOR DEPT: A) ADVISE OUAGA AND NIAMEY WHAT ACTIONS TO TAKE, IF ANY; V) PROVIDE OUAGA AND NIAMEY WITH ADDITIONAL BACKGROUND INFORMATION AS NECESSARY; C) PROVIDE BACKGROUND AND INSTRUCTIONS FOR ABIDJAN, OUAGA AND NIAMEY ON VIENNA CONFERENCE.

4. FOR OUAGADOUGOU AND NIAMEY: PLEASE INDICATE WHETHER OR NOT YOU THINK IT WOULD HELP IF AMBASSADOR VAN LOC CAME TO YOUR LIMITED OFFICIAL USE

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PAGE 03 ABIDJA 00544 201610Z

CAPITAL.

5. AMBASSADOR SMITH SENDS.
DIAMANTI

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